

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 19, 2014

**5:30 P.M.**

**MINUTES**

**Present:** Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on June 5, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kretser; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending June 11, 2014 in the amount of \$ **339,526.48** and June 18, 2014 in the amount of \$**268,009.69** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kasper; Seconded by Councilor O'Connell

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the weeks of June 5 – June 18, 2014
- Report from the Building Inspector's office June 16, 2014
- Statement from the City Clerk's Office of all monies received during the month of May 2014 in the total amount of \$15,033.82

**RESOLVED:** That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor O'Connell; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the weeks ending June 13, 2014 in the amount of \$ **1,811,882.33** and June 20, 2014 in the amount of \$ **1,185,615.85** are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Dowdle; Seconded by Councilor Armstrong  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL:**

**Danielle Erb** would like to see something historic done to mark the 200<sup>th</sup> anniversary of the Battle of Plattsburgh.

**Mary Alice Shemo** 29 Champlain Street spoke about the July 6<sup>th</sup> anniversary of the Lac-Mégantic train derailment disaster and she is organizing a memorial during First Weekends event on July 5<sup>th</sup>.

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**7. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves closing the section of US Route 9 (Margaret Street) between Hyde Avenue to the south and Miller Street to the north for railroad crossing rehabilitation. CP Rail/CM project no. 114-109

By Councilor Kretser; Seconded by Councilor Kasper  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to process a 2013 property tax credit for payment to Lake City Properties LLC in the amount of \$5,472.86 for an overcharge in the calculation of omitted City and County taxes on its property at 4907 South Catherine Street. The omitted property taxes for the period prior to January 1<sup>st</sup>, 2013, were calculated based on an incorrect assessment value and are being corrected through return of the overcharge of City and County property taxes to the owner.

By Councilor Kasper; Seconded by Councilor Armstrong  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**C. THE MAYOR HANDS DOWN THE APPOINTMENT OF SHIRLEY O’CONNELL TO THE LIBRARY BOARD FOR THE TERM OF JUNE 19, 2014 TO JUNE 30, 2017.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**D. THE MAYOR HANDS DOWN THE APPOINTMENT OF RICHARD SCHAEFER TO THE LIBRARY BOARD FOR THE TERM OF JUNE 19, 2014 TO JUNE 30, 2019.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**E. THE MAYOR HANDS DOWN THE REAPPOINTMENT OF ALEX INSLEY TO THE LIBRARY BOARD FOR THE TERM OF JUNE 30, 2014 TO JUNE 30, 2019.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves MLD to accept PLM’s proposal for \$30,000 to perform an ARC Flash Circuit analysis on the Plattsburgh City grid.

By Councilor Armstrong; Seconded by Councilor Kelly  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves City Clerk Sylvia Parrotte to refund Patricia Larnered (Gramps Funnel Cakes) \$35 Vendor Fee because after applying for the permit she decided not to Vend during the Mayor’s Cup events.

By Councilor Kretser; Seconded by Councilor Armstrong  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**H. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2014-21 "Instrumentation-Water Pollution Control Plant/Water Filtration Plant" be awarded to Total Control System Services, Inc. for the total lump sum price of \$36,212 and that the Mayor be authorized to sign the Maintenance Service Agreement for this work.

By Councilor Dowdle; Seconded by Councilor O'Connell  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**I. RESOLVED:** In accordance with the request therefore the Common Council approves correcting adjustment to water and sewer Accounts Receivables to reflect amounts that are, legally and practically impossible to collect.

By Councilor Kasper; Seconded by Councilor Dowdle  
Discussion: None  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**J. SEQRA Finding and Negative Declaration; Saranac River Trail Reroute of Erosion Damaged Trail Section City of Plattsburgh**

WHEREAS, in the spring of 2014, a washout occurred on a portion of the Saranac River Trail in and over certain lands of SUNY in an area adjacent to the Saranac River; and

WHEREAS, the City of Plattsburgh and SUNY desire to re-route and re-construct this washed out portion of the Saranac River Trail in a route depicted in a sketch plan prepared by the City Engineer and SUNY; and

WHEREAS, the Common Council has determined this re-route to be an unlisted action pursuant to SEQRA for which an uncoordinated review has been conducted. The Common Council has received and reviewed:

- a) A Short Environmental Assessment Form (EAF) dated June 18, 2014.
- b) A proposed Findings Statement & Negative Declaration for the above actions.

Now therefore, it is Resolved:

A. The Common Council makes the findings set forth in Part 2 of the EAF.

B. The Common Council makes, and authorizes the Mayor to sign, the Findings Statement and Negative Declaration for the proposed actions.

By Councilor Kelly; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action:

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#### **K. SARANAC RIVER TRAIL SUNY RE-ROUTE**

WHEREAS, by Common Council Resolution dated June 18, 2009, the Mayor of the City of Plattsburgh was authorized to apply to the State of New York Office of General Services for the transfer and conveyance of an easement in and over certain lands of the State University of New York at Plattsburgh (hereinafter "SUNY") for the purposes of a Multi-Use Path Construction Project (hereinafter "Saranac River Trail"); and

WHEREAS, the easement was subsequently granted and the portion of the Saranac River Trail in and over certain lands of SUNY was constructed; and

WHEREAS, in the spring of 2014, a washout occurred on a portion of the Saranac River Trail in and over certain lands of SUNY in an area adjacent to the Saranac River; and

WHEREAS, the City of Plattsburgh and SUNY desire to re-route and re-construct this washed out portion of the Saranac River Trail in a route depicted in a sketch plan prepared by the City Engineer and SUNY; and

WHEREAS, the Common Council has determined this re-route to be an unlisted action pursuant to SEQRA and has reviewed the short form Environmental Assessment Form and has issued a negative declaration.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Common Council hereby authorizes the Mayor of the City of Plattsburgh to enter into a Revocable Permit Agreement and to request from the State University of New York a Revocable Permit in order to re-reroute and re-construct this washed out portion of the Saranac River Trail and to request the State University of New York to request an amendment of the existing easement agreement from the State of New York Office of General Services for the Saranac River Trail to allow for the re-route as depicted in the sketch plan referenced above but understanding that such a request to the Office of General Services shall require the City of Plattsburgh to provide the State University of New York with a final instrument survey map depicting the location of the new portion of the trail and a legal description of said location prepared by the licensed land surveyor who prepares the final instrument survey map; and

IT IS FURTHER RESOLVED, that the Common Council hereby authorizes the Mayor of the City of Plattsburgh to enter into a Revocable Permit Agreement and to request from the State University of

New York a Revocable Permit in order to re-reroute and re-construct this washed out portion of the Saranac River Trail and to request the State University of New York to request an amendment of the existing easement agreement from the State of New York Office of General Services for the Saranac River Trail to allow for the re-route as depicted in the sketch plan referenced above but understanding that such a request to the Office of General Services shall require the City of Plattsburgh to provide the State University of New York with a final instrument survey map depicting the location of the new portion of the trail and a legal description of said location prepared by the licensed land surveyor who prepares the final instrument survey map; and

IT IS FURTHER RESOLVED, that the Common Council hereby authorizes the Mayor of the City of Plattsburgh and the City Engineer to apply for any necessary permits, and complete any associated grading or site work associated with this re-route of the Saranac River Trail.

By Councilor Kretser; Seconded by Councilor Kelly  
Discussion:

**Councilor Armstrong** thank you for all the background information very thorough and I appreciate it.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**L. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H3410.33, 2008 Champlain Valley Transportation Museum, for cost increases of \$100,000 authorized under contract #2014-14GC approved at the Common Council meeting on June 5<sup>th</sup>, 2014. The project cost increases will be funded equally from a \$50,000 NYS Empire State Development Grant and matching funding from the Champlain Valley Transportation Museum.

By Councilor Kasper; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**M. RESOLVED:** In accordance with the request therefore the Common Council approves the Champlain Valley Horse Association to hold the "1<sup>st</sup> Annual Community Flea Market" at the Farmers Market Building on Saturday, October 18, 2014 from 9am to 3pm.

By Councilor Dowdle; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**N. RESOLVED:** In accordance with the request therefore the Common Council approves Plattsburgh High School to have its annual Homecoming Parade on Saturday, September 27, 2014 at 1:00 PM. The parade route would begin at Stafford Middle School continue up Rugar Street, then down Adirondack Lane onto Clifford Drive and finally down Angell Drive towards cafeteria.

By Councilor Kelly; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**O. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2014 budget for the recovery of police academy costs in the form of overtime and personal clothing & equipment expenditures from receipt of \$20,000 in March and April of 2014 for police fees from participating agencies as per the attached details.

By Councilor Armstrong; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**P. RESOLVED:** In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period January 1, 2013 to January 31, 2013 in the amount of \$5,120.20. The percentage of write-offs for this period is .24%.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion:

**Councilor Dowdle** said are these legally and impossible to collect?

**Mayor Calnon** said no the difference is we are required to write these off after a certain period. But we continue to try and collect them and we are often quite successful.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**Q. RESOLVED:** In accordance with the request therefore the Common Council approves the City

Chamberlain to increase the 2014 budget for the cost of unbudgeted River Walk expenditures of \$2,400 to be appropriated from the General Fund Unassigned Fund Balance as per the attached budget adjustment memo.

By Councilor Dowdle; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**R. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2014-23 "2014 City Street Paving" be awarded to Northern Snow & Dirt for the total amount of \$105,995.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**S. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to renew the City's Property, Casualty and Liability insurance coverage with Trident Insurance through the Marshall & Sterling Agency at the premium rate of \$249,676 for the period July 6<sup>th</sup>, 2014, through July 6<sup>th</sup>, 2015.

By Councilor Kasper; Seconded by Councilor Kelly

Discussion:

**Councilor Kelly** said I would like to reiterate on each of these resolutions I believe that you, Mayor Calnon, and Richard Marks worked very hard to get the city the best deal you possibly could. And the taxpayers although these are large expenditures will understand that they are necessary expenditures.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**T. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to renew the City's Workers' Compensation insurance coverage with NYS Workers' Compensation Alliance through the Marshall & Sterling Agency at the premium rate of \$502,339 for the period July 1<sup>st</sup>, 2014, through June 30<sup>th</sup>, 2015.

By Councilor Kasper; Seconded by Councilor Dowdle



Discussion:

**Councilor Armstrong** said I am looking forward to an exploration about our current safety record as well as firm plans for improving that safety record.

**Mayor Calnon** also wanted to include that during our work session tonight there was extensive discussion about the history of our workers compensation including our positive and negative experiences with both regular insurance as well as being a part of a trust and the council did really dig in to the underlying assets and liabilities. And are considering this motion with a pretty good knowledge of the basis for it.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**U. RESOLVED:** In accordance with the request therefore the Common Council approves Club Caribbean to hold a "Street Jam Carnival" on August 30, 2014 from 2:00pm -6 pm blocking off a section of Rugar Street from Memorial Hall to Hood Hall.

By Councilor Dowdle; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Wastewater Treatment Plant Operator trainee Eric Bertrand to attend certification classes to obtain his operations license in Morrisville, NY from September 7 – October 24, 2014. The total estimated cost is \$5,715.

By Councilor Kasper; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves Water Treatment Plant Operator Evan McDonald to attend certification classes in Kenmore, NY from October 5 – 17, 2014. The total estimated cost is \$3,313.

By Councilor Dowdle; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

- 1.** Construction loan for Phase II of Catherine Gardens.

**Mayor Calnon** this remains under initial consideration because we do not yet have the recommendation from Lake City local development corporation.

**Councilor Kasper** said North Margaret and the report we got from Stantec if we could talk about how we want to proceed further and everyone received that feasibility study.

**Mayor Calnon** suggested it be a topic for the work session next week so we come in to our next meeting prepared to take an action.

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## **10. NEW BUSINESS:**

**Councilor Kasper** started the discussion about the railroad and the overgrowth down south in town and is really getting quite excessive to the point where there is no visibility from the properties.

[further discussion ensued]

**Councilor Armstrong** after forum at Lake Forest concerns expressed about the high degree of oil trains and there frequency and the suggestion was made that a community task force be formed.

[further discussion ensued]

**Councilor Dowdle** spoke about the MacDonough monument.

[further discussion ensued]

**Councilor Armstrong** was approached by Clinton County museum about placement of a sign on Rt. 9 for all museums.

**Councilor Kasper** expressed gratitude to all who donated Flower Tool kit items. They gave away 66 pots.

**Councilor O'Connell** expressed his concern about during July 4<sup>th</sup> and Mayor's Cup kids running and jumping in river down by monument band shell. Also would like Tree Report to be on work session schedule to discuss.

**Councilor Kelly** spoke about his son's visit and he thought the area was wonderful.

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**11. CLOSING PUBLIC COMMENTS:**

**Anne de la Chapelle**, Plattsburgh Public Library Director, said the Library was just awarded \$53,000 in matching grants from the NYS Library toward that long awaited concrete step replacement and a couple other projects in the building including all the leaks in the roof, etc.

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Motion to Adjourn by Councilor Armstrong; Seconded by Councilor Dowdle  
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**MEETING ADJOURNED: 6:20pm**